



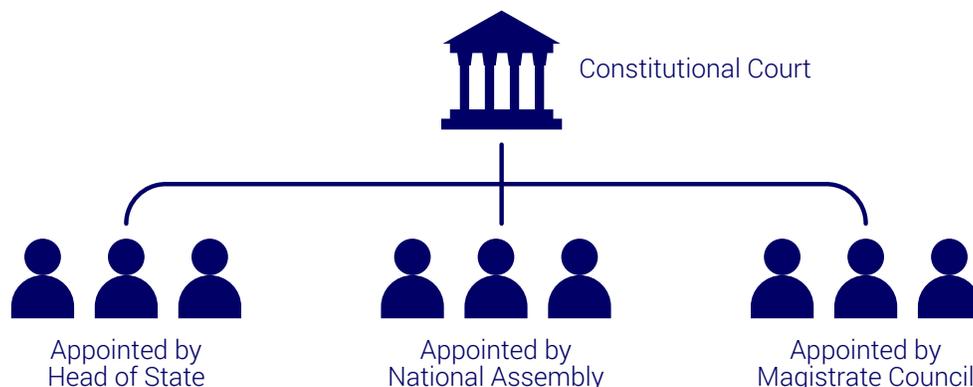
WEST AFRICA SPEED NOTE | ELECTIONS

AUGUST 2020

MALI: THE INSTITUTION OF A NEW CONSTITUTIONAL COURT

The invalidation of about thirty results of the March-April legislative elections by the Constitutional Court triggered series of violent demonstrations to express dissatisfaction by citizens and as a result, an awakening of crisis in the political scene of Mali. With Mali being a member of the Economic Community of West African States (ECOWAS), the Regional organization intervened in the situation in a bid to calm the storm. The intervention yielded recommendations geared towards ending the socio-political crisis, such as the appointment of new judges to the Constitutional Court, which resulted in the "de facto dissolution" of the Court by President Ibrahim Boubacar Keïta.

MEMBERS AND LEADERSHIP OF THE NEW CONSTITUTIONAL COURT



Following the recommendation of ECOWAS, a new Constitutional Court has been established to resolve the socio-political crisis that is shaking the country. The new composition of nine includes three members (Amadou Ousmane Touré, Asser Kamate, and Doucourou Kadidia Traoré) appointed by the Head of State, three members (Maliki Ibrahim, Ba Haoua Toumagnon and Beyla Ba) appointed by the National Assembly and three members (Demba Tall, Mohammed Abdourahamane Maïga and Djénéba Karabenta) appointed by the Magistrate Council. All nine were sworn in on August 10th before the National Assembly in the presence of President Ibrahim Boubacar Keita and former Nigerian President Goodluck Jonathan, the ECOWAS mediator. The principal mission of the Court is to resolve the electoral dispute that erupted after the legislative elections of March and April.

Unanimously elected by the other judges, Amadou Ousmane Touré, appointed by the President, was sworn in before the National Assembly as the new president of the Constitutional Court. Before his election as the new President of the Constitutional Court, Amadou Ousmane Touré, held the post of director of cabinet to Prime Minister Boubou Cissé, with the rank of a minister. He was also Mali's ambassador to Cote d'Ivoire from 2008 to 2011 and most notably, the Auditor General from 2011 to 2018, a position that identifies him with the fight against corruption.

THE STAND OF THE OPPOSITION COMPROMISED?

The institution of the new controversial Constitutional Court is expected to appease the opposition groups and calm the unrest. It may be recalled that the swearing-in of the magistrates forming the new Constitutional Court took place on the eve of another major demonstration by the M5-RFP, which continues to call for the departure of the president. Despite the new Constitutional Court, the opposition has continued to demand Keita's resignation with persistent protests and refusing to compromise.

Electing Amadou Ousmane Touré as the President of the new Constitutional Court is another compromising step aimed at satisfying the protesting opposition. As expected, researchers, activists, citizens and former colleagues have expressed satisfaction, describing Touré as "an honest and hard-working man", "a man of records", whose reports during the first years of Ibrahim Boubacar Keita's term "raised many scandals of embezzlement of public funds and corruption". Nevertheless, concerns are still raised pertaining to him and the Court at large justly and fairly meeting the demands of the opposition.

Given the persistent demand by the opposition that President Ibrahim Keita and other political office holders resign, and the incessant protests and demonstrations, it appears that the new Constitutional Court is reigniting the political crisis and heightening the already existing tension in the country instead of accomplishing its purpose of settling the electoral dispute. Therefore, is a new Constitutional Court really the solution to the socio-political crisis? Will the new Court consider the requests of the opposition or give in to their demands of resignation? These are questions Malians and the international eyes may be seeking responses to, as the new Constitutional Court exercise its powers.

FURTHER READING

- **Crise au Mali : les neuf membres de la Cour constitutionnelle nommés**
<https://www.jeuneafrique.com/1026690/politique/crise-au-mali-les-neuf-membres-de-la-cour-constitutionnelle-nommes/>
- **Mali : qui est Amadou Ousmane Touré, le nouveau président de la Cour constitutionnelle**
<https://www.jeuneafrique.com/1027373/politique/mali-qui-est-amadou-ousmane-toure-le-nouveau-president-de-la-cour-constitutionnelle/>
- **Mali Swears in New Judges for Controversial Constitutional Court**
<https://allafrica.com/stories/202008110562.html>